IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAREL ALVAREZ & JUAN TELLADO,

Individually and on behalf of all persons

similarly situated,

Plaintiffs,

No. 16-2705

CIVIL ACTION

v.

BI INCORPORATED,

Defendant.

ORDER

AND NOW, this 2nd day of June, 2020, upon consideration of "Plaintiffs' Unopposed and Renewed Motion for Approval of the Settlement Agreement and Addendum to the Settlement Agreement" (ECF No. 93), it is hereby **ORDERED** that the motion is **GRANTED** as follows:

- In my April 6, 2020 Memorandum Opinion, I found the parties proposed Settlement 1. Agreement to be fair and reasonable in all respects, save one—I concluded that the Release of Claims by Named Plaintiffs (Section III.F.2) was pervasive, overbroad, and, therefore, unreasonable.
- 2. In their Addendum to the Settlement Agreement, the parties amend the Settlement Agreement by deleting Section III.F.2 and its subsections.
- 3. Based upon this addendum and the reasons set forth in my April 6, 2020 Opinion, I find that the Parties' Settlement Agreement and Addendum to the Settlement Agreement (collectively, the "Settlement Agreement") is approved as fair, reasonable, and adequate, and a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act.

4. For settlement purposes, the following collective is certified pursuant to 29 U.S.C.

§ 216(b): Plaintiff and all persons who worked for Defendant BI, Incorporated as ISAP Case

Specialists in the United States, and who have opted in to <u>Alvarez</u>, et al. v. <u>BI</u>, <u>Incorporated</u>, No.

16-2705 (E.D. Pa.).

5. The proposed service awards in the amount of \$15,000 each are approved to the

Named Plaintiffs, for their service to the Opt-In Plaintiffs.

6. Berger Montague PC and Willig, Williams, & Davidson are approved as Plaintiffs'

counsel for the Settlement Collective.

7. Plaintiffs' Counsel's attorneys' fees and costs in the total amount of \$350,000 are

granted and approved.

8. The Notice of Collective Settlement and payment plan to the Opt-In Plaintiffs is

approved.

9. Plaintiffs' FLSA collective action is hereby dismissed with prejudice against

Defendant in accordance with the terms of the Settlement Agreement. I hereby enter final

judgment in this case, and, there being no reason to delay entry of this final judgment, the Clerk

of Court is directed to enter this final judgment forthwith pursuant to Federal Rules of Civil

Procedure 54(b).

10. Without affecting the finality of this final judgment in any way, the Court reserves

exclusive and continuing jurisdiction over this action, the named Plaintiffs, the certified collective,

and Defendant for purposes of supervising the implementation and enforcement of the Settlement

Agreement, this Order, and all settlement administration matters.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.

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